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FLOOR DEBATE

May 29, 2001

LB 435

please record.

CLERK: 29 ayes, 0 nays, Mr. President, on the adoption of Senator Chambers' amendment.

PRESIDENT MAURSTAD: The amendment is adopted.

CLERK: Senator Dierks would move to amend, AM1849. (Legislative Journal page 1846.)

PRESIDENT MAURSTAD: Senator Dierks, you're recognized to open on AM1849.

SENATOR DIERKS: Mr. President, members of the Legislature, I'm anxiously awaiting AM1849. (Laugh) I just have to tell you, you know, this is a piece of legislation that we've done a considerable amount of work on over the last three or four years. We've had to...we've had to negotiate with the grain and feed dealers and the railroads, and we finally came to an agreement on that, but we find that the agreement that they are willing to accept is not acceptable by some other members of the Legislature. And we've tried to work with those people and evidently we have not been successful. We need to...we need to then talk about some other people that got involved as well. The co-op councils have some problems with it. We thought we were in pretty...pretty good shape, we thought we had the thing pretty well figured out, but it becomes more difficult the more people that have their fingers in it. I would like to, on this particular amendment, AM1849, we're striking, beginning with "If" in line 3 through line 13, and we're going to insert: If a railroad or its successor of interest wishes to sell or offer to sell property leased to an ag tenant upon which substantial improvements owned by the ag tenant are located, then, except when the sale or offer to sell is made to a purchaser who is a common carrier who intends to operate a railroad on railroad right-of-way adjacent to the leased property for the public benefit or for interim trail use under the federal normal trail...National Trails System Act, as such act existed on the effective date of this act, the railroad or its successor in interest shall first extend to the ag tenant a written offer to sell the railroad land to agricultural tenant at fair market